

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In Re:

LEONARD RIINA II,

Debtor.

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Case No. 08-50034-PJS  
Chapter 7  
Judge Shefferly

**MOTION FOR AUTHORITY TO SELL PERSONAL PROPERTY FREE AND CLEAR  
OF LIENS AND TRANSFERRING LIENS TO PROCEEDS**

Wendy Turner Lewis, Chapter 7 Trustee for the estate of Leonard Riina, II (the “Debtors”), by her attorneys, Bernardi, Ronayne & Glusac, P.C., states:

1. On April 25, 2008, the Debtor filed a voluntary petition under Chapter 7 of the U.S. Bankruptcy Code (the “Code”).

2. Wendy Turner Lewis is the duly appointed Chapter 7 Trustee of the Debtor’s estate (the “Trustee”).

3. The assets of the Debtor’s estate the following personal property (the “Property”):

One (1) 2003 22-foot Tahoe (pontoon boat)  
One (1) Trailer  
Two (2) 2004 Sea-Doo RXP

4. The Trustee has received the following offer for the purchase of the Property:

Offeror: Mary A. Riina

Offer Price: \$15,000.00

Deposit: The Trustee has received a \$1,500.00 deposit from Ms. Riina

5. The Trustee seeks to sell the Property free and clear of all liens and other interests and transfer liens and interests to the proceeds of sale pursuant to Code § 363 to Mary A. Riina.

6. The Property will be sold AS IS and WHERE IS, without any representation or warranty, whether express or implied, including, but not limited to, any warranties of merchantability or fitness for a particular purpose.

7. The Property will be sold pursuant to Order, after a notice and opportunity for hearing has been served on all creditors.

8. The Trustee seeks entry of an Order authorizing her to sell the Property pursuant to the terms contained in this Motion.

THEREFORE, the Trustee requests that this Court authorize her to sell the Property pursuant to the terms and conditions set forth in this Motion. A proposed Order is attached as Exhibit 1.

BERNARDI, RONAYNE & GLUSAC, P.C.

/s/Rodney M. Glusac  
Attorneys for Trustee  
1058 Maple Street  
Suite 100  
Plymouth, MI 48170  
(734) 416-1780  
rodg@brgpc.com  
(P43756)

Dated: October 2, 2008

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In Re:

LEONARD RIINA II,

Debtor.

---

Case No. 08-50034-PJS  
Chapter 7  
Judge Shefferly

**ORDER AUTHORIZING TRUSTEE TO SELL PERSONAL PROPERTY FREE AND  
CLEAR OF LIENS AND TRANSFERRING LIENS TO PROCEEDS**

Wendy Turner Lewis, the Chapter 7 Trustee of the Debtor's estate, having filed her Motion for Authority to Sell Personal Property Free and Clear of Liens and Transferring Liens to Proceeds (the "Motion"); notice having been properly served on all interested parties and creditors; no objections to the Motion having been filed; and the Court being otherwise duly advised in the premises:

IT IS ORDERED that:

(A) The Trustee is authorized to sell the estate's interest in the following personal property to Mary A. Riina for the sum of \$15,000.00 pursuant to 11 U.S.C. § 363 and the terms and conditions set forth in the Motion:

One (1) 2003 22-foot Tahoe (pontoon boat)  
One (1) Trailer  
Two (2) 2004 Sea-Doo RXP

(B) All liens on the subject property, whether consensual or statutory, are transferred from, and extinguished with respect to the subject property, and shall attach to any proceeds of the sale of the subject property to the same extent, and having the same validity, perfection, priority and enforceability as such liens had with respect to such property immediately before the sale. Except as otherwise provided herein, any issues regarding the extent, validity, perfection,

priority and/or enforceability of such liens, with respect to the proceeds of the sale shall be determined by the Bankruptcy Court at a later date.

(C) All persons and governmental units are enjoined from taking any action against the subject property to realize on any putative interests including, but not limited to, any action to collect any property tax, installment of a special assessment, or utility payment.

(D) Each and every appropriate federal, state, and local governmental agency or department is ordered and directed to accept transactions contemplated by this Order including, without limitation, filings in the recording offices in Michigan and governmental agencies or departments.

(E) The Trustee is authorized to execute such documents and agreements and to do such things as may be necessary or appropriate in her sole discretion to implement, effectuate, and consummate the transactions contemplated in this Order.

UNITED STATES BANKRUPTCY COURT  
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Case No. 08-50034-PJS  
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**NOTICE OF MOTION FOR AUTHORITY TO SELL PERSONAL PROPERTY FREE  
AND CLEAR OF LIENS AND TRANSFERRING LIENS TO PROCEEDS**

Wendy Turner Lewis, the Chapter 7 Trustee, has filed papers with the Court to sell the estate's interest in the following personal property to Mary A. Riina for the sum of \$15,000.00:

One (1) 2003 22-foot Tahoe (pontoon boat)  
One (1) Trailer  
Two (2) 2004 Sea-Doo RXP

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one.**

If you do not want the Court to enter an this Order or if you want the Court to consider your views on the motion, **within 15 days you or your attorney must:**

1. File with the Court a written response or objection, explaining your position, at:<sup>1</sup>

U.S. Bankruptcy Court  
211 W. Fort Street, Suite 2100  
Detroit, Michigan 48226

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Rodney M. Glusac, Esq.  
Bernardi, Ronayne & Glusac, P.C.  
1058 Maple Street  
Suite 100  
Plymouth, MI 48170

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<sup>1</sup> Response or answer must comply with F. R. Civ. P. 8(b), (c) and (e)

2. If a response or objection is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

**If you or your attorney do not take these steps, the Court may deem that you do not oppose the relief sought in the motion and may enter an Order granting that relief.**

BERNARDI, RONAYNE & GLUSAC, P.C.

/s/Rodney M. Glusac  
Attorneys for Trustee  
1058 Maple Street  
Suite 100  
Plymouth, MI 48170  
(734) 416-1780  
rodg@brgpc.com  
(P43756)

Dated: October 2, 2008

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In Re:

LEONARD RIINA II,

Debtor.

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Case No. 08-50034-PJS  
Chapter 7  
Judge Shefferly

**NOTICE OF TRUSTEE'S SALE**

To the creditors of the above-named Debtor:

NOTICE IS GIVEN that pursuant to 11 U.S.C. § 363(b), Fed.R.Bankr.P. 2002 and 6004, and L.B.R. 6004-1(b) (E.D.M.), Wendy Turner Lewis, the Chapter 7 Trustee, will sell the estate's interest in the following personal property to Mary A. Riina for the sum of \$15,000.00 free and clear of liens and other interests, with liens and interests to attach to the proceeds of the Sale:

One (1) 2003 22-foot Tahoe (pontoon boat)  
One (1) Trailer  
Two (2) 2004 Sea-Doo RXP

Pursuant to L.B.R. 6004-1(b) (E.D.M.), if no objections to the sale are filed with the U.S. Bankruptcy Court within 15 days from the date this notice is served, authority to sell may be granted without a hearing. If an objection is filed and served on the Trustee, a notice of hearing to consider the sale will be sent to the objecting party.

BERNARDI, RONAYNE & GLUSAC, P.C.

/s/Rodney M. Glusac  
Attorneys for Trustee  
1058 Maple Street  
Suite 100  
Plymouth, MI 48170  
(734) 416-1780  
rodg@brgpc.com  
(P43756)

Dated: October 2, 2008

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In Re:

LEONARD RIINA II,  
  
Debtor.

Case No. 08-50034-PJS  
Chapter 7  
Judge Shefferly

**CERTIFICATION OF SERVICE**

I certify that on October 2, 2008, I electronically filed the Motion for Authority to Sell Personal Property Free and Clear of Liens and Transferring Liens to Proceeds (the "Motion"), the Notice of the Motion, and the Notice of Trustee's Sale (the "Pleadings") with the Clerk of the Court using the ECF system, which will send notification of such filing to the following:

- Gerald L. Decker: gldeckerlaw@aol.com
- Junhua Gu: ecf@kaalaw.com
- Robert E. Igrisan: efrith@mcleodusa.net
- Wendy Turner Lewis: wlewis@ecf.epiqsystems.com, trustee@lewistrustee.com

and I certify that on October 2, 2008, I have mailed by United States Postal Service the Notice of the Motion and the Notice of Trustee's Sale to the non-ECF participants: See Attached List

BERNARDI, RONAYNE & GLUSAC, P.C.

Dated: October 2, 2008

/s/Rodney M. Glusac  
Attorneys for Trustee  
1058 Maple Street  
Suite 100  
Plymouth, MI 48170  
(734) 416-1780  
rodg@brgpc.com  
(P43756)



Label Matrix for local noticing  
0645-2  
Case 08-50034-pjs  
Eastern District of Michigan  
Detroit  
Wed Oct 1 13:55:40 EDT 2008

Chase  
P.O. Box 4661  
Houston, TX 77210-4661

Ferguson Enterprises, Inc.  
C/O Gregory S. Pierce, Esq.  
1111 W. Long Lake Rd., Ste. 202  
Troy, MI 48098-6333

Ford Motor Credit Company LLC  
Drawer 55-953  
P O Box 55000  
Detroit MI 48255-0001

Gm Cardmember Services  
P.O. Box 94014  
Palatine, IL 60094-4014

Macomb County Circuit Court  
Case No. 07-1859-CK  
40 N. Main  
Mt. Clemens, MI 48043-5656

Marathon  
Fleet Services  
P.O. Box 6293  
Carol Stream, IL 60197-6293

Phillip J Shefferly  
2  
211 West Fort Street  
Room 1900  
Detroit, MI 48226-3228

Wells Fargo Bank  
BDD Bankruptcy Dept  
P O Box 53476  
Phoenix AZ 85072-3476

Advanta Bank Corp  
P.O. Box 8088  
Philadelphia, PA 19101-8088

Contractors Pipe & Supply  
C/O Anthony Wayne Kahn, Esq.  
33110 Grand River Ave.  
Farmington, MI 48336-3120

Ford Motor Credit  
P.O. Box 55000  
Detroit, MI 48255-0001

GMAC Mortgage  
2600 Troy Center Dr., Ste. 200  
Troy, MI 48084-4771

Junhua Gu  
903 N. Opdyke Road  
Suite C  
Auburn Hills, MI 48326-2693

Macomb County Circuit Court  
Case No. 07-4864-CK  
40 N. Main  
Mt. Clemens, MI 48043-5656

Leonard Riina II  
49217 Monte  
Chesterfield Township, MI 48047-4869

United States Trustee  
211 W. Fort Street Ste.700  
Detroit, MI 48226-3263

Capital One  
P.O. Box 105131  
Atlanta, GA 30348-5131

Gerald L. Decker  
42700 Schoenherr Rd.  
Suite 3  
Sterling Heights, MI 48313-2874

Ford Motor Credit Company LLC  
Drawer 55-953  
P O Box 55000  
Detroit MI 48225-0953

Rodney M. Glusac  
1058 Maple Street  
Suite 100  
Plymouth, MI 48170-1996

Wendy Turner Lewis  
456 E. Milwaukee  
Detroit, MI 48202-3236

Macomb County Circuit Court  
Case No. 08-0535-CK  
40 N. Main  
Mt. Clemens, MI 48043-5656

SNCG Collections, LLC  
C/O Kenneth J. Safran, Esq.  
710 East Grand River  
Howell, MI 48843-2430

Wells Fargo  
Payment Remittance Center  
P.O. Box 6426  
Carol Stream, IL 60197-6426

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Ford Motor Credit Company LLC

(d)Rodney M. Glusac  
1058 Maple Street  
Suite 100  
Plymouth, MI 48170-1996

(d)Macomb County Circuit Court  
Case No. 07-4864-CK  
40 N. Main  
Mt. Clemens, MI 48043-5656

End of Label Matrix  
Mailable recipients 24  
Bypassed recipients 3  
Total 27